

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

2020 JAN 29 PM 12:33
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL AUSTIN,
TERENCE HESTER,

Defendants.

INDICTMENT

JUDGE BOYKO

CASE NO.

1:20 CR 064

Title 18, United States Code,
Sections 922(g)(1), and
924(a)(2); Title 21, United States
Code, Sections 841(a)(1),
(b)(1)(C) and 846

COUNT 1

(Conspiracy to Possess with Intent to Distribute Controlled Substances, 21 U.S.C. § 846)

The Grand Jury charges:

1. On or about October 22, 2019, in the Northern District of Ohio, Eastern Division, Defendants MICHAEL AUSTIN and TERENCE HESTER, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with the intent to distribute a mixture and substance containing a detectable amount of Heroin, a Schedule I drug, fentanyl, a Schedule II drug, carfentanil, a Schedule II drug, and 4-ANPP, a Schedule II drug, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

(Possession with Intent to Distribute Controlled Substances, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

2. On or about October 22, 2019, in the Northern District of Ohio, Eastern Division, Defendant MICHAEL AUSTIN and TERENCE HESTER, aiding and abetting each other, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, fentanyl, a Schedule II controlled substance, carfentanil, a Schedule II controlled substance, and 4-ANPP, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 3

(Possession with Intent to Distribute Controlled Substances, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

3. On or about October 22, 2019, in the Northern District of Ohio, Eastern Division, Defendant MICHAEL AUSTIN, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, 4-ANPP, a Schedule II controlled substance, and cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 4

(Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

The Grand Jury further charges:

4. On or about October 22, 2019, in the Northern District of Ohio, Eastern Division, Defendant MICHAEL AUSTIN, knowing he had previously been convicted of a crime

punishable by imprisonment for a term exceeding one year, to wit, Attempted Drug Trafficking, on or about July 20, 2017, in case number CR-17-615825, in Cuyahoga County Common Pleas Court; Drug Trafficking, on or about April 16, 2018, in case number CR-15-600992, in Cuyahoga County Common Plea Court; Drug Trafficking, on or about April 28, 2014, in case number CR-13-579206, in Cuyahoga County Common Pleas Court; and Drug Possession, on or about November 2, 2012, in case number CR-12-564784, in Cuyahoga County Common Pleas Court, knowingly possessed a firearm, to wit: a Glock, Model 27 Gen 4, .40 caliber pistol, serial number BBUU798, said firearm having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.